

Filed for intro on 02/02/95  
Senate Bill \_\_\_\_\_  
By \_\_\_\_\_

House Bill No.HB0398  
By Jones

AN ACT to amend Tennessee Code Annotated, Title 4, to create a commission on the assassination of Dr. Martin Luther King, Jr.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Title 4, Chapter 3, is amended by adding Sections 2 through 9 as a new, appropriately designated part.

SECTION 2. There is hereby created and established a Commission on the Assassination of Dr. Martin Luther King, Jr. The duties and responsibilities of the commission shall include the following:

(1) to create, document, and compile an accurate account of the events leading to and surrounding the assassination of Dr. King;

(2) to assure the preservation and security of all relevant records, documents, papers, testimony, and other items of evidence relating to the events leading to and surrounding the assassination of Dr. King;

(3) to create, document, and compile an accurate account of the investigation of the assassination of Dr. King; and

(4) to assure the preservation and security of all relevant records, documents, papers, testimony, and other items of evidence relating to the investigation of the assassination of Dr. King.

SECTION 3. The commission shall be composed of five (5) Tennesseans to be appointed by the governor. The chair of the commission shall also be selected by the governor from among the commission's membership. The governor shall appoint members to fill any vacancies occurring on the commission.

SECTION 4.

(a) The commission shall maintain an office in Memphis and shall maintain such other offices within the state as the commission deems necessary.

(b) The commission is authorized to contract for the services of such outside consultants, or to employ such staff, or both, as it may require in the performance of its duties, including, but not necessarily limited to, an executive director, attorneys, investigators, researchers, and clerical positions.

SECTION 5. In performing its assigned duties, the commission is authorized to issue subpoenas, including subpoenas duces tecum, to enforce the attendance of witnesses and the production of records, documents, paper, or other items of evidence, and to administer oaths to persons testifying before the commission. All subpoenas shall be issued and enforced in accordance with the procedures established for legislative committee investigations conducted under the authority of Tennessee Code Annotated, Title 3, Chapters 3 and 4. Any perjured testimony presented to the commission shall be subject to criminal prosecution in accordance with the procedures established for legislative committee investigations conducted under the authority of Tennessee Code Annotated, Title 3, Chapters 3 and 4.

SECTION 6. Commission members shall serve without salary but shall be eligible for reimbursement for travel expenses incurred while performing commission duties. All reimbursement for travel expenses shall be paid in accordance with the provisions of the

comprehensive travel regulations as promulgated by the department of finance and administration and approved by the attorney general and reporter.

SECTION 7. The meetings of the commission shall be conducted in compliance with the provisions of the Open Meetings Act, Tennessee Code Annotated, Title 8, Chapter 44, Part 2.

SECTION 8.

(a) The commission shall issue its final report to the governor and to each member of the general assembly on or before June 30, 1999. All records, documents, papers, testimony, and other items of evidence received by the commission shall be delivered to the state library and archives on or before June 30, 1999.

(b) On or before June 30, 1999, the commission shall complete its duties and, at such time, shall cease to exist.

(c) The state library and archives shall ensure the security and preservation of, and public access to, the report and all records, documents, papers, testimony, and other items of evidence received from the commission.

SECTION 9. Implementation and administration of this act shall be subject to the level of funding provided for such purpose within the state's annual appropriations act.

SECTION 10. This act shall take effect on July 1, 1995, the public welfare requiring it.